Criminal Notice of Appeal - Form A

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DATE FILED: MAY 31 2016

NOTICE OF APPEAL

United States District Court

Southern District of New York

Caption:
United States v.

Jason Galanis, et al.

Docket No.: 15 CR 643
Hon. P. Kevin Castel
(District Court Judge)

Notice is hereby given that defendant Jason Galanis appeals to the United States Court of Appeals for the Second Circuit from the judgment ___, other ✔ Detention Order Pending Trial (specify)
entered in this action on May 18, 2016 (date).

This appeal concerns: Conviction only [ ] Sentence only [ ] Conviction & Sentence [ ] Other [✔]

Defendant found guilty by plea [ ] trial [ ] N/A [✔].

Offense occurred after November 1, 1987? Yes [✔] No [ ] N/A [ ]

Date of sentence: ______________ N/A [✔]

Bail/Jail Disposition: Committed [✔] Not committed [ ] N/A [ ]

Appellant is represented by counsel? Yes ✔ No [ ] If yes, provide the following information:

Defendant's Counsel: Thomas Mazzucco, Murphy Pearson Bradley & Feeney

Counsel's Address: 88 Kearny Street, 10th Floor
San Francisco, CA 94108

Counsel's Phone: (415) 788-1900

Assistant U.S. Attorney: Brian Blais, AUSA, Southern District of New York

AUSA's Address: One St. Andrew's Plaza
New York, NY 10007

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[signature]
Signature

# UNITED STATES DISTRICT COURT
for the
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, v. JASON GALANIS, JOHN GALANIS, a/k/a "Yanni," JARED GALANIS, GARY HIRST, DEREK GALANIS, YMER SHAHINI, and GAVIN HAMELS, Defendants.	))))))))))))	**NOTICE OF APPEAL** **Case No. 15 CR 643 (PKC)**

Notice is hereby given that JASON GALANIS, a defendant in the above-captioned case, hereby appeals to the United States Court of Appeals for the Second Circuit from the Detention Order Pending Trial signed by United States District Judge P. Kevin Castel on May 17, 2016 and entered in this action on May 18, 2016, a copy of which is attached hereto.

Date: May 31, 2016

Thomas P. Mazzucco

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AO 472 (Rev. 09/08) Detention Order Pending Trial

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DOC #: ___
DATE FILED: 5-18-16

UNITED STATES DISTRICT COURT

for the

United States of America
v.
JASON GALANIS
Defendant

Case No. 15 CR 643 (PKC)

DETENTION ORDER PENDING TRIAL

After conducting a ~~detention~~ (revocation) hearing under the Bail Reform Act, 18 U.S.C. § ~~3142(f)~~ 3148, I conclude that these facts require that the defendant be detained pending trial.

Part I—Findings of Fact

☐ ~~(1) The defendant is charged with an offense described in 18 U.S.C. § 3142(f)(1) and has previously been convicted~~ of ☐ a federal offense ☐ a state or local offense that would have been a federal offense if federal jurisdiction had existed - that is

☐ a crime of violence as defined in 18 U.S.C. § 3156(a)(4)or an offense listed in 18 U.S.C. § 2332b(g)(5) for which the prison term is 10 years or more.

☐ an offense for which the maximum sentence is death or life imprisonment.

☐ an offense for which a maximum prison term of ten years or more is prescribed in ___ .*

☐ a felony committed after the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C. § 3142(f)(1)(A)-(C), or comparable state or local offenses:

☐ any felony that is not a crime of violence but involves:

☐ a minor victim

☐ the possession or use of a firearm or destructive device or any other dangerous weapon

☐ a failure to register under 18 U.S.C. § 2250

☐ (2) The offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state release or local offense.

☐ (3) A period of less than five years has elapsed since the ☐ date of conviction ☐ the defendant's release from prison for the offense described in finding (1).

☐ (4) Findings Nos. (1), (2) and (3) establish a rebuttable presumption that no condition will reasonably assure the safety of another person or the community. I further find that the defendant has not rebutted this presumption.

Alternative Findings (A)

☐ (1) There is probable cause to believe that the defendant has committed an offense

☐ for which a maximum prison term of ten years or more is prescribed in ___ .

☐ ~~under 18 U.S.C. § 924(c).~~

*Insert as applicable: (a) Controlled Substances Act (21 U.S.C. § 801 *et seq.*); (b) Controlled Substances Import and Export Act (21 U.S.C. § 951 *et seq.*); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. § 955a).

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AO 472 (Rev. 09/08) Detention Order Pending Trial

UNITED STATES DISTRICT COURT

for the

☐ (2) ~~The defendant has not rebutted the presumption established by finding 1 that~~ no condition will reasonably assure the defendant's appearance and the safety of the community.

Alternative Findings (B)

☐ (1) There is a serious risk that the defendant will not appear.

☐ (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

Part II— Statement of the Reasons for Detention

I find that the testimony and information submitted at the detention hearing establishes by ☐ clear and convincing evidence ☑ a preponderance of the evidence that there is probable cause to believe that Mr. Jason Galanis has committed federal crimes set forth in a ~~sealed~~ Complaint, 16 Mag 2978, in part while on release ~~for~~ on the pending indictment, and Mr. Jason Galanis is unlikely to abide by any condition or combination of release. See transcript of May 17, 2016.

Part III—Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The defendant must be afforded a reasonable opportunity to consult privately with defense counsel. On order of United States Court or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to the United States marshal for a court appearance.

Date: 5-17-16

[signature]
Judge's Signature

P. KEVIN CASTEL, USDJ
Name and Title

*Insert as applicable: (a) Controlled Substances Act (21 U.S.C. § 801 *et seq.*); (b) Controlled Substances Import and Export Act (21 U.S.C. § 951 *et seq.*); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. § 955a).